

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BENJAMIN C. ILDEFONSO,

Petitioner,

-v-

9:18-CV-1159
(DNH/ATB)

ROSEMARIE WENDLAND, Superintendent,

Respondent.

APPEARANCES:

BENJAMIN C. ILDEFONSO

Petitioner pro se

13-B-1412

Otisville Correctional Facility

Box 8

Otisville, NY 10963

HON. LETITIA JAMES

Attorney General for the State of New York

Attorney for Respondent

28 Liberty Street

New York, NY 10005

DENNIS A. RAMBAUD, ESQ.

Ass't Attorney General

DAVID N. HURD

United States District Judge

DECISION and ORDER

Pro se petitioner Benjamin C. Ildefonso brought this petition for habeas relief pursuant to 28 U.S.C. § 2254. On October 31, 2019, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that the petition be denied and dismissed and no certificate of appealability be issued. No objections to the

Report-Recommendation were filed.

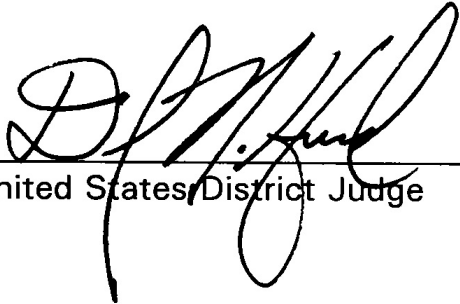
Based upon a careful review of entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is DENIED and DISMISSED; and
2. No Certificate of Appealability shall be issued.

IT IS SO ORDERED.



United States District Judge

Dated: January 6, 2020
Utica, New York.